

USSN: 10/788,746  
Attorney Docket: 1-1998.376 US D1  
Response to Restriction Requirement of 2/15/06

### **Remarks**

Upon entry of the foregoing amendments, claims 13-18 are pending. Claims 1-12 are cancelled without prejudice to or disclaimer of the subject matter contained therein. Support for new claims 13-18 can be found in the original claims and throughout the specification, such as, at page 2, line 24 to page 3, line 26.

### ***Election***

Applicants hereby elect Group I, drawn to a structural protein of Fish Pancreatic Disease virus (FPDV) corresponding to E2 protein. To the extent necessary, Applicants also hereby elect SEQ ID NO: 6. These elections are made *with* traverse.

Claims 1-12 have been cancelled and replaced by claims 13-18, which read on the elected invention. Applicants respectfully assert that claim 13 is a genus claim; and that dependent claims recite species falling within the genus of claim 13. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the restriction requirement as it relates to the species of proteins or sequences recited. To the extent necessary, Applicants hereby elect SEQ ID NO: 6 as a species, upon which claims 13-18 read. Applicants also request that upon allowance of the independent generic claim (13), claims reciting species dependant upon the generic claim will also be allowed.

USSN: 10/788,746  
Attorney Docket: I-1998.376 US D1  
Response to Restriction Requirement of 2/15/06

Conclusion

Applicants do not believe that any other fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. 02-2334. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 02-2334.

Applicants submit that this application is in condition for allowance, and request that it be allowed. The Examiner is requested to call the Undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,



Aaron L. Schwartz  
Registration No. 48,181  
Attorney for Applicants

Patent Department  
Intervet Inc.  
P.O. Box 318  
29160 Intervet Lane  
Millsboro, DE 19966  
(302) 933-4034 (tel)  
(302) 934-4305 (fax)